

Read the first and second time, and ordered to be committed to the Committee of the whole House, to whom was this day referred, the report of the Committee of Commerce and Manufactures, on the Petition of Thomas Storm, and others, Sugar Refiners of the City of New York.

To allow a drawback of Duty on Sugar Refined within the United States.

1 SECT. 2. *And be it further enacted*, That in order to entitle the
2 exporter or exporters to the benefit of the said allowances, he,

3 she, or they, shall, previous to the putting or lading any of the
 4 said refined sugar on board of any ship or vessel for exportation,
 5 give twenty-four hours notice at least, to the proper officer of
 6 inspection of the port from which the said sugar shall be
 7 intended to be exported, of his, her, or their intention to export
 8 the same, and of the number of packages containing the same, and
 9 the respective marks thereof, and the place or places where
 10 deposited, and of the place to which any ship or vessel in
 11 which the same shall be so intended to be exported, where-
 12 upon, it shall be the duty of the said officer to inspect,
 13 by himself or deputy, the packages so notified for exportation,
 14 and the same after such inspection shall be laden on board the
 15 same ship or vessel, of which notice shall have been given, and
 16 in the presence of the same officer or his deputy, who shall have
 17 inspected the same; which officer, after the same shall have
 18 been so laden on board, shall certify to the collector of the dis-
 19 trict, the quantity and particulars of sugar so laden for exportation.

1 *SECT. 3. Provided nevertheless, And be it further enacted,*
 2 That the said allowance shall not be made, unless the said export-
 3 er or exporters shall make oath or affirmation, that the said su-
 4 gar so noticed for exportation, and laden on board such
 5 ship or vessel, is truly intended to be exported to the place
 6 whereof notice shall have been given, and is not intended
 7 to be reloaded within the United States, and shall also give
 8 bond to the collector, with two sureties, one of whom shall be the

9 master or other person having the command or charge of the ship
 10 or vessel, in which the said sugar shall be intended to be exported;
 11 the other, such sufficient person as shall be approved by the said
 12 collector, in the full value, in the judgment of the said collector,
 13 of the said sugar so intended to be exported, with condition
 14 that the said sugar (the dangers of the seas and enemies ex-
 15 cepted) shall be really and truly exported to, and landed in
 16 some port or place without the limits of the United States,
 17 and that the said sugar shall not be unshipped from on board of
 18 the said ship or vessel, whereupon the same shall have been
 19 laden for exportation, within the said limits, or any ports or
 20 harbors of the United States, or relanded in any part of the
 21 same (shipwreck or other unavoidable accident excepted.)

1 SECT. 4. *Provided also, And be it further enacted,* That the
 2 said allowance shall not be paid until six months after the
 3 said sugar shall have been so exported: *And provided also,* that
 4 whenever the owner of any ship or vessel, on board of which
 5 any such sugar is laden for exportation, shall make known to
 6 the collector, previous to the departure of such ship or vessel,
 7 where such sugar is laden, that such ship or vessel is not going
 8 to proceed on the voyage intended, or the voyage is altered,
 9 it shall be lawful for the collector to grant a permit for reland-
 10 ing the same.

1 SECT. 5. *And be it further enacted,* That if any of the said su-
 2 gar, after the same shall have been shipped for exportation, shall

3 be unshipped for any purpose whatever, either within the limits
 4 of any part of the United States, or within four leagues of the
 5 coast thereof, or shall be relanded within the United States, from
 6 on board the ship or vessel wherein the same shall have been
 7 laden for exportation, unless the voyage shall not be proceeded
 8 on, or shall be altered as aforesaid, or unless in case of necessity
 9 or distress, to save the ship and goods from perishing, which shall
 10 immediately be made known to the principal officer of the customs,
 11 residing at the port nearest to which such ship or vessel shall be
 12 at the time ; such necessity or distress shall arise, then not only
 13 the sugar so unshipped, together with the casks, vessels and cases
 14 containing the same, but also the ship or vessel, in, or on board
 15 which the same shall have been so shipped or laden, together with
 16 the guns, furniture, ammunition, tackle and apparel, and also the
 17 ship, vessel, or boat, into which the said sugar shall be unshipped
 18 or put, after the unshipping thereof, together with her guns,
 19 furniture, ammunition, tackle and apparel, shall be forfeited, and
 20 may be seized by any officer of the customs or of inspection.

1 SECT. 6. *And be it further enacted,* That the bonds to be
 2 given as aforesaid, shall and may be discharged by producing,
 3 within one year from the respective dates thereof (if the same
 4 shall be shipped to any part of Europe or America, and within
 5 two years if shipped to any part of Asia or Africa; and if the
 6 delivery of the sugar, in respect to which the same shall have
 7 been given, be at any place, where a consul or other agent of

8 the United States, resides) a certificate of such consul or agent, or
 9 if there be no consul or agent, then a certificate of any two known
 10 and respectable American merchants, residing at the said place;
 11 and if there be not two such merchants residing at the said place,
 12 then a certificate of any other two respectable merchants, testifying
 13 the delivery of the said sugar, at the said place; which certificate
 14 shall, in each case, be confirmed by the oath or affirmation of the
 15 master and mate, or other like officer of the vessel, in which the
 16 said sugar shall have been exported; and when such certificate
 17 shall be from any other than a consul or agent, or merchants of
 18 the United States, it shall be a part of the said oath or affirma-
 19 tion, that there were not, upon diligent enquiry, to be found,
 20 two merchants of the United States, at the said place: *Provided*
 21 *always*, that in the case of death, the oath or affirmation of the
 22 party dying, shall not be deemed necessary: *And provided fur-*
 23 *ther*, That the said oath or affirmation, taken before the civil
 24 magistrate of the place, of the said delivery, and certified under
 25 his hand and seal, shall be of the same validity, as if taken before
 26 a person qualified to administer oaths within the United States;
 27 or such bonds shall and may be discharged, upon proof that the
 28 sugar so exported, was taken by enemies, or perished in the sea,
 29 or destroyed by fire: the examination and proof of the same,
 30 being left to the judgment of the collector of the customs, na-
 31 val officer, and chief officer of inspection, or any two of them,
 32 of the place from which sugar, shall have been exported. And

33 in cases where the certificates herein directed, cannot be obtain-
34 ed, the exporter or exporters of such sugar shall, nevertheless,
35 be permitted to offer such other proof, as to the delivery of the
36 said sugar, without the limits of the United States, as he or they
37 may have; and if the same shall be deemed sufficient by the said
38 collector, he shall allow the same, except when the drawback to
39 be allowed, shall amount to one hundred dollars or upwards:
40 In all which cases, the proofs aforesaid shall be referred to the
41 comptroller of the treasury, whose decision thereon shall be
42 final.

1 SECT. 7. *And be it further enacted,* That all penalties and for-
2 feitures, which shall be incurred pursuant to this act, shall be
3 divided and distributed, one half to the use of the United States,
4 and the other half thereof, to the use of the person who, if an
5 officer of inspection, shall first discover, or if not an officer of
6 inspection, shall first give information of the cause, matter or
7 thing, whereby any of the said penalties or forfeitures, shall
8 have been incurred.